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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

PAUL HUTCHINS, as a representative of a
 class of participants and beneficiaries on behalf
 of the HP Inc. 401(k) Plan,

Plaintiff,

vs.

HP, INC.; HP INC. PLAN COMMITTEE; and
 Does 1 to 10 inclusive,

Defendants.

Case No. 5:23-cv-05875-BLF

**STIPULATION REQUEST AND
~~PROPOSED~~ ORDER CHANGING TIME**

Action Filed: November 14, 2023

Pursuant to Local Rule 6-1(B), 6-2, and 7-12, Plaintiff Paul Hutchins (“Plaintiff”), together with Defendants HP, Inc. and HP, Inc. Plan Committee (collectively, “HP” or “Defendants”), by and through their respective counsel of record, jointly stipulate as follows:

WHEREAS, on November 14, 2023, Plaintiff filed his Complaint against HP in the United States District Court for the Northern District of California;

WHEREAS, Plaintiff served his Complaint on HP on November 16, 2023, which by rule established HP’s current deadline to answer or otherwise respond to the Complaint as twenty-one (21) days thereafter, or December 7, 2023;

WHEREAS, HP has retained outside counsel fairly recently and continues to evaluate Plaintiffs’ Complaint and his allegations against it;

WHEREAS, to allow HP sufficient time to evaluate, analyze, and respond to Plaintiff’s allegations, the Parties have agreed to stipulate to an approximately 45-day extension of HP’s deadline to do so;

WHEREAS, HP presently anticipates filing a motion to dismiss Plaintiff’s Complaint, and therefore the Parties have also agreed to stipulate to a briefing schedule, should HP ultimately decide to file such a motion, as follows:

1. Defendants’ Motion to Dismiss Plaintiff’s Complaint is due **January 22, 2024**.
2. Plaintiff’s Opposition to Defendants’ Motion is due **February 21, 2024**.
3. Defendants’ Reply in Support of their Motion is due on **March 13, 2024**;

WHEREAS, pursuant to Local Rule 6-2(a), HP has attached hereto as Exhibit A the Declaration of Mark A. Feller, in further support of this Stipulation and Request.

THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the respective Parties hereto, subject to approval by the Court, that:

1. Defendants’ Motion to Dismiss Plaintiff’s Complaint is due January 22, 2024.
2. Plaintiff’s Opposition to Defendants’ Motion is due February 21, 2024.
3. Defendants’ Reply in Support of their Motion is due on March 13, 2024.
4. This Order is without prejudice to any and all defenses Defendants may assert in the Action and without prejudice to any and all claims Plaintiff may assert in the

1 Action. This Order is also without prejudice to an application for, or stipulation to,
2 further extensions of the briefing schedule for the motion to dismiss.

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4 Dated: December 1, 2023

HAYES PAWLENKO

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6 By /s/ Matthew B. Hayes

Matthew B. Hayes
Kye D. Pawlenko

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8 Attorneys for Plaintiff

9 Dated: December 1, 2023

MORGAN, LEWIS & BOCKIUS LLP

10
11 By /s/ Mark A. Feller

Mark A. Feller
Deborah S. Davidson
Matthew A. Russell
Oluwaseun O. FAMILONI

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14 Attorneys for Defendants

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16 **L.R. 5-1(h)(3) Certification**

17 Pursuant to Local Rule 5-1(h)(3), I attest that concurrence in the filing of the foregoing
18 document has been obtained from each of the other Signatories.

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20 /s/ Mark A. Feller

21 Mark A. Feller

22 * * *

23
24 **~~PROPOSED~~ ORDER**

25 PURSUANT TO STIPULATION, IT IS SO ORDERED.

26 Date: December 1, 2023

27 
Hon. Beth L. Freeman
United States District Judge